



- (2) On or about May 23, 2016, Petitioner was retained and employed by former NFL player, Andra Davis (“Mr. Davis”), pursuant to a contingent fee agreement, to pursue a claim for injuries and damages related thereto possibly caused by the National Football League’s and all other responsible parties’ liability for former and/or retired NFL players’ long-term brain injuries and other head injuries and damages associated with football-related concussions, head and brain injuries.
- (3) The specifics of the contingent fee agreement are as follows: If no recovery (by settlement or trial) is obtained client will not owe a legal fee or expenses. If Pope McGlamry obtains settlement or judgment for Client, Client will pay to Pope McGlamry twenty percent (20%) of the net recovery after reimbursement of expenses. Net recovery is the total recovery minus expenses.
- (4) When Petitioner entered into a contract with Mr. Davis, he entered into the risk and expense of the litigation before any settlement discussion had been held.
- (5) From the date the Petitioner was authorized to proceed on behalf of the Mr. Davis, the Petitioner has actively and diligently applied himself to the investigation, preparation, and pursuit of Mr. Davis’ claims, and has taken all steps necessary to prosecute those claims, including, but not limited to,

correspondence and communications with the client; review of Questionnaire; preparing for and holding teleconferences on 12/14/2016, 2/9/2017, 5/22/2017; and drafting and providing client email updates on 5/24/2016, 6/2/2016, and 1/27/2017; obtaining BAP appointments for the client on 12/11/2017 and 8/27/2018; collecting medical evidence and 3<sup>rd</sup> party affidavit as part of BAP process.

- (6) Throughout this time, Petitioner has served and continues to serve on the Plaintiff Steering Committee, as co-lead of the Discovery Committee, a member of the Communications Committee and the Sub-Committee on Attorney-Client Matters with regard to the litigation *In re: National Football League Players' Concussion Injury Litigation*, U.S. District Court, Eastern District of Pennsylvania, Case No. MDL No. 12-md-2323 (AB), all of which has inured to the Mr. Davis' benefit with Pope McGlamry's representation.
- (7) Mr. Davis has recently discharged the Petitioner as his attorney in this matter, and we have received email communication that he has hired another attorney.
- (8) The Petitioner was not terminated by the Mr. Davis for cause, and the termination was not due to any malfeasance or other improper action on the part of the Petitioner.

- (9) The Petitioner claims the right to have a lien for attorney's fees and expenses established and enforced upon any sums to be derived from any settlement or judgment obtained or to be obtained by Mr. Davis in this action.

Dated: December 16, 2019

Respectfully submitted,

POPE, McGLAMRY, KILPATRICK,  
MORRISON & NORWOOD, P.C.

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